116, 3 L. R. A. 508, recovery was denied on the ground that the premises had been used for saloon purposes without a license, contrary to a provision of the policy. The court reasoned that during the increased risk the insured was getting something for which he had not paid. The fact that information in such matters is peculiarly within the knowledge of the insured, and that the insurer has no control over the premises, might lend some force to a construction in favor of the insurer. When the breach is insignificant, as in the principal case, the courts take refuge behind the words of the policy as "kept," "allowed," or "used," and hold the policy good. *Szymkus* v. *Eureka Ins. Co.,* 114 Ill. App. 401. A single brief violation will ordinarily not avoid the policy. *Krug* v. *German Ins. Co.,* 147 Pa. St. 272, 30 Am. St. Rep. 729. The breach must be something of duration and not merely casual. *Angier* v. *Western Assur. Co.,* 10 S. D. 82, 66 Am. St. Rep. 685. We hardly think that the strongest advocate of the rule as laid down by Mr. VANCE would hold the policy in the principal case avoided.

INTOXICATING LIQUORS—JURISDICTION—INJUNCTION.—Roper, a druggist, obtained a license to sell liquors on prescription in a county in which local option was in effect. Shortly thereafter the county attorney filed an application for an injunction alleging that Roper was violating the provisions or said license and was creating and promoting a public nuisance and asked that Roper be restrained from selling intoxicating liquors. The local option law authorized the issuance of an injunction to restrain the sale of liquor within any county wherein the sale of liquor had been prohibited by law. *Held,* injunction was properly granted. (DAVIDSON, J., dissenting). *Ex parte Roper* (1911), — Tex. Crim. App. —, 134 S. W. 334.

In the earliest period of its history the courts of chancery assumed to exercise the power of preventing crimes. 1 POMEROY'S EQ. JUR., Ed. 2, § 36. But the exercise of this prerogative grew less frequent with advancing civilization, as the ordinary remedies for the punishment of crime became more effective and acts of lawlessness and violence less common. *Stuart* v. *LaSalle Co.,* 83 Ill. 341; *In re Sawyer,* 124 U. S. 200. It is now well settled that equity has no criminal jurisdiction and cannot interfere to prevent the commission of criminal acts. *Atty. Gen.* v. *Tudor Co.,* 104 Mass. 239; 16 AM. & ENG. ENCY. LAW, Ed. 2, 363. The keeping of an unlicensed dram shop will not be enjoined: *State* v. *Uhrig,* 14 Mo. App. 413; nor the violation of a Sunday law: *Sparhawk* v. *Union Co.* 54 Pa. St. 401; nor the keeping of a bawdy house: *Neaf* v. *Palmer,* 103 Ky. 496, 45 S. W. 506; nor the transacting of banking business in contravention of law: *Atty. Gen.* v. *Ins. Co.,* 2 Johns Ch. (N. Y.) 271. There are exceptions, however to this general rule. Where a private wrong has been committed, although it may also be a crime, and where property and pecuniary rights are involved, equitable relief will not be denied simply because the offender may be amenable to criminal proceedings. *Vegelahn* v. *Guntner,* 167 Mass. 92; *Weakley* v. *Page,* 102 Tenn. 178, 46 L. R. A. 552, 53 S. W. 551. The maintaining of a bawdy house which was contrary to law was enjoined on the ground that it disturbed the right of peaceful enjoyment of property in the neighborhood: *Blagen* v. *Smith,* 34 Or.

394, 44 L. R. A. 522. Sunday baseball was enjoined for the same reason. *Dunham* v. *Baseball Assoc.* 44 Misc. 112, 89 N. Y. Supp. 762. The same decree was made in the case of accumulating and using nitro-glycerine within the corporate limits. *People's Gas Co.* v. *Tyner*, 131 Ind. 277, 31 Am. St. Rep. 433. A second exception to the general rule is that a court of equity may at the suit of the state enjoin a public nuisance, although the act constituting the nuisance is a crime. *In re Debs*, 158 U. S. 564; *Walker* v. *McNelly*, 121 Ga. 114; *State* v. *Crawford*, 28 Kan. 726, 42 Am. Rep. 182. Contra: *State* v. *Vaughan*, 81 Ark. 117, 7 L. R. A. (N. S.) 899, 118 Am. St. Rep. 29; *People* v. *Condon*, 102 Ill. App. 449. In cases under this exception property rights need not be involved. *State* v. *Canty*, 207 Mo. 439, 105 S. W. 1078, 123 Am. St. Rep. 393. Contra, see *State* v. *Vaughan*, supra. A third exception, under which the present case falls, is that the legislature may pass a statute authorizing the issuance of an injunction even though the effect of such act is to restrain the commission of a crime. *Mugler* v. *Kansas*, 123 U. S. 623; *State* v. *Roby*, 142 Ind. 168, 41 N. E. 145, 33 L. R. A. 213, 51 Am. St. Rep. 174; *Littleton* v. *Fritz*, 65 Ia. 488, 54 Am. Rep. 19.

MUNICIPAL CORPORATIONS—DEBT LIMIT—CONSTITUTIONAL INHIBITION.—Violations of the local option law became so flagrant in Umatilla County, Oregon, as to become a public scandal. The local officers, upon being appealed to, afforded no assistance in procuring evidence. The district attorney with the approbation of the county judge requested a detective agency to send an operative. This detective rendered effective service and his bill was approved and allowed by the county court. This suit was brought to enjoin the delivery of a warrant drawn by order of the county court in favor of the detective agency on the ground that the indebtedness of the county at the time exceeded the $5000.00 limit prescribed by the Constitution. *Held*, that the action of the court ratified the employment and that the constitutional debt limit applied only to such debts as were voluntarily incurred and not to such as could not be avoided without danger to the peace and good order of the community; consequently the fact that the debt limit had been reached was not a valid objection. *Cunningham et al.* v. *Saling, County Clerk, et al.* (1910), — Ore. —, 112 Pac. 437.

The opinion is based on an exceedingly broad classification of debts incurred by a county on the basis of voluntarily and involuntarily incurred debts. From this case the decisions vary in breadth of application down to the case of *Board of County Com. of D. Co.* v. *Gillett*, 9 Okla. 593, and *Barnard* v. *Knox Co.*, 105 Mo. 382, where even a warrant for books bought by the clerk as required by statute was held void because it was in excess of the constitutional inhibition. The state statutes have been commented upon by different courts in order to draw distinctions but the tendency is to construe them very narrowly and strictly. *People* v. *May*, 9 Colo. 414, 15 Pac. 36; *Litchfield* v. *Ballou*, 114 U. S. 190; *Lake County* v. *Graham*, 130 U. S. 674; *Doon Twp.* v. *Cummins*, 142 U. S. 366. This is shown in their restrictions as to any form of indebtedness. *Scott* v. *Davenport*, 34 Iowa 208. In the principal case means had been provided for the carrying out of the powers